IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO.185 OF 2004
IN
SUIT NO.845 of 1976

Aishabi Fakir Mohammed ..Plaintiff.

Vs.

Khatija Mohamed Janmohammed
& Ors. ..Defendants.

And

Maharashtra Housing & Area
Development Authority ..Respondents.

Mr.H.W.Mattos, A.G.P. for MHADA.

Mr.N.G.Thakkar, Sr.Counsel with Mrs.Khatri for Defendant No.1(c).

CORAM : S.J. VAZIFDAR, J.
DATED : 16TH JANUARY, 2006

P.C. :

The case of Defendant No.1(c) is that the Court Receiver, who was appointed in respect of the property including the hoarding site was continued in execution. The Court Receiver continues to remain in possession of the site.

2. The Respondent MHADA contends that the property actually belongs to it and not to the estate of the deceased, the administration whereof has been

ordered in the suit.

3. MHADA is directed not to interfere with the possession of the Court Receiver except in accordance with law. MHADA is at liberty to adopt appropriate proceedings including making any application to this Court. It will always be open to the parties to the suit to question the maintainability of such proceedings/applications.

4. No further orders are necessary on the Chamber Summons. Chamber Summons are accordingly disposed of.